IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 9TH APRIL 2007 / 19TH CHAITHRA 1929

WP(C).No. 11520 of 2007(U)

PETITIONER:

T.U.UDAYAN, PRESIDENT,
TRICHUR DISTRICT CO-OPERATIVE BANK LTD.,
TRICHUR.

BY ADV. SRI.GEORGE POONTHOTTAM

RESPONDENTS:
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1. THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
THIRUVANANTHAPURAM.

2. SRI.G.SUDHAKARAN, MINISTER FOR
CO-OPERATION, GOVERNMENT OF KERALA,
THIRUVANANTHAPURAM.

BY G.P. SMT. A.G. ANEETHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE NOTICE NO.C.B.(4) 25961/2006 DATED 17.3.2007 ISSUED BY THE FIRST RESPONDENT.

RESPONDENTS' EXHIBITS:NIL

TRUE COPY

P.S. TO JUDGE.

C.N.RAMACHANDRAN NAIR,J.

W.P.C. NO. 11520 OF 2007

Dated this the 9th day of April, 2007

JUDGMENT

Heard counsel for the petitioner and Government Pleader. Petitioner is challenging Ext.P1 notice issued under Section 32(1) of the Kerala Co-op. Societies Act proposing to supersede the Managing Committee of the Society for reasons stated therein. Petitioner has filed objections for himself and on behalf of members of the Managing Committee. It is not known whether hearing is over. Since proceedings are in progress, I feel it is premature for this Court to consider the case on merits. However, since petitioner apprehends simultaneous take over of the management of the Bank by the Administrator after service of order, I dispose of the W.P. with direction to the first respondent to withhold physical taking over of the management of the Trichur District Co-operative Bank Ltd. for one week from the date of service of order, if the decision is to supersede the management of the Bank. However, the Board shall not take any decision as long as supersession order is in force.

(C.N.RAMACHANDRAN NAIR)
Judge